

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket 56–2008]

**Foreign-Trade Zone 20—Suffolk, VA
Correction to Application for Subzone
Status STIHL Incorporated (Outdoor
Power Products Manufacturing and
Distribution) Virginia Beach, VA**

A technical correction has been submitted to the Foreign-Trade Zones Board (the Board) by STIHL Incorporated (STIHL) regarding the company's application requesting special-purpose subzone status for the company's outdoor power products manufacturing facilities located in Virginia Beach, Virginia (73 FR 60677–60678, 10/14/2008).

Several manufacturing inputs listed in the application for which the company is requesting manufacturing authority were incorrectly identified as being duty free. These inputs with the correct duty rates are as follows: Ethylene polymers (6.5 percent); articles of natural cork (14 percent); miscellaneous copper articles (3 percent); filtering or purifying machinery (2.5 percent); spray guns (2.9 percent); and, hand tools with self-contained electric motors (1.7 percent). Additionally, a duty-free input (vulcanized cellular rubber articles) was inadvertently omitted from the application. The application otherwise remains unchanged.

Dated: November 14, 2008.

Andrew McGilvray,
Executive Secretary.

[FR Doc. E8–27763 Filed 11–20–08; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–846]

**Brake Rotors From the People's
Republic of China: Notice of Court
Decision Not In Harmony With Final
Results of Administrative Review**

AGENCY: Import Administration,
International Trade Administration,
Department of Commerce.

SUMMARY: On November 5, 2008, the United States Court of International Trade (“CIT”) sustained the remand redetermination issued by the Department of Commerce (the “Department”) pursuant to the CIT’s remand order in the final results of the antidumping duty order on brake rotors from the People’s Republic of China

(“PRC”). See *Laizhou Auto Brake Equipment Co., et al. v. United States*, Court No. 06–00430, Slip Op. 08–120 (CIT November 5, 2008) (“*Laizhou II*”). This case arises out of the Department’s *Final Results* for the period of review (“POR”) April 1, 2005 through May 31, 2006. See *Brake Rotors from the People’s Republic of China: Final Results and Partial Rescission of the 2004/2005 Administrative Review and Notice of Rescission of 2004/2005 New Shipper Review*, 71 FR 66304 (November 14, 2006) (“*Final Results*”). Consistent with the decision of the United States Court of Appeals for the Federal Circuit (“CAFC”) in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (“*Timken*”), the Department is notifying the public that *Laizhou II* is not in harmony with the Department’s *Final Results*.

DATES: *Effective Date:* November 21, 2008.

FOR FURTHER INFORMATION CONTACT: Paul Walker, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW., Washington, DC 20230; telephone: (202) 482–0413.

SUPPLEMENTARY INFORMATION: On June 26, 2008 the CIT directed the Department to: (1) Explain whether the rejected rotors, casting strands/handles, etc., reintroduced into the production process should be properly accounted for in the factor of production “STLSCRAP”; (2) address the issue of the composition of the predominant scrap used in the production process; (3) address respondents’ argument that the Department should be solely focusing on the type of scrap the respondents reported in the factor field “STLSCRAP”; and (4) explain whether the Department has in fact reassessed its position in subsequent reviews as to the proper HTS classification of the respondents’ scrap. See *Laizhou Auto Brake Equipment Company, et al. v. United States*, Court No. 06–00430, Slip Op. 08–71 (CIT June 26, 2008) (“*Laizhou I*”), at 17–18. Pursuant to the CIT’s remand instructions, we reexamined the record and determined that the best available information on the record with which to value steel scrap is HTS 7204.49.00 (other ferrous waste and scrap (“ferrous scrap”)), rather than HTS 7204.10.00 (waste and scrap of cast iron (“cast iron scrap”)) which was used in the *Final Results*.

The Department released the *Draft Results of Redetermination Pursuant to Court Remand* to interested parties. No party submitted comments. On September 24, 2008, the Department

filed its final results of redetermination pursuant to *Laizhou I* with the CIT. See *Final Results of Redetermination Pursuant to Court Remand*, Court No. 06–00430 (September 24, 2008) (“*Final Redetermination*”). In responding to the CIT’s questions and reassessing the record evidence, we have determined it appropriate to value steel scrap using HTS 7204.49.00 (ferrous scrap), instead of the previously selected value, HTS 7204.10.00 (cast iron scrap). We note that respondents reported purchasing steel scrap that is captured under HTS 7204.49.00, and there is no record evidence which contradicts this assertion. The Department valued HTS 7204.49.00 using publicly available Indian import statistics for the POR from the *World Trade Atlas* (“WTA”).¹ Thus, the Department revised, as appropriate, the remanded steel scrap surrogate value selection components of the margin calculations of Longkou Haimeng Machinery Co., Ltd. and Hongfa Machinery (Dalian) Co., Ltd. The Department also revised the “sample rate” applicable to the non-mandatory respondents separate from the PRC-wide entity who are parties to this litigation: Laizhou Auto Brake Equipment Co., Ltd.; Laizhou City Luqi Machinery Co., Ltd.; Laizhou Hongda Auto Replacement Parts Co., Ltd.; and Qingdao Gren (Group) Co. On November 5, 2008, the CIT sustained all aspects of the remand redetermination made by the Department pursuant to the CIT’s remand of the *Final Results*.

In *Timken*, 893 F.2d at 341, the CAFC held that, pursuant to section 516A(e) of the Tariff Act of 1930, as amended (the “Act”), the Department must publish a notice of a court decision that is not “in harmony” with a Department determination, and must suspend liquidation of entries pending a “conclusive” court decision. The CIT’s decision in *Laizhou II* on November 5, 2008, constitutes a final decision of the court that is not in harmony with the Department’s *Final Results*. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, the Department will continue the suspension of liquidation of the subject merchandise pending the expiration of the period of appeal or, if appealed, pending a final and conclusive court decision. In the event the CIT’s ruling is not appealed or, if appealed, upheld by the CAFC, the Department will instruct U.S. Customs

¹ WTA is published by Global Trade Information Services, Inc., which is a secondary electronic source based upon the publication, *Monthly Statistics of the Foreign Trade of India, Volume II: Imports*. See <http://www.gtis.com/wta.htm>.

and Border Protection to revise the cash deposit rates covering the subject merchandise and to assess antidumping duties on entries of the subject merchandise during the POR based on the revised assessment rates calculated by the Department.

This notice is issued and published in accordance with section 516A(c)(1) of the Act.

Dated: November 18, 2008.

Stephen J. Claeyss,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. E8-27874 Filed 11-20-08; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

A-570-601

Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from the People's Republic of China; Extension of Time Limit for Final Results of the 2006-2007 Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

EFFECTIVE DATE: November 21, 2008.

FOR FURTHER INFORMATION CONTACT: Paul Stolz, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington DC 20230; telephone: (202) 482-4474.

SUPPLEMENTARY INFORMATION:

Background

On July 26, 2007, the Department of Commerce ("the Department") published in the **Federal Register** a notice of the initiation of the antidumping duty administrative review of tapered roller bearings and parts thereof, finished and unfinished ("TRBs") from the People's Republic of China ("PRC"). See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 72 FR 41057 (July 26, 2007). On July 17, 2008, the Department published its preliminary results on TRBs from the PRC. See *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review*, 73 FR 41033 (July 17, 2008). The final results of this administrative review are currently due no later than November 14, 2008.

Extension of Time Limit for Final Results

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended ("the Act"), requires the Department to issue the final results in an administrative review within 120 days after the date on which the preliminary results are published. However, if it is not practicable to complete the review within this time period, section 751(a)(3)(A) of the Act allows the Department to extend the time period to a maximum of 180 days.

The Department has determined that completion of the final results within the 120-day period is not practicable because the Department requires additional time to analyze case and rebuttal briefs, and to hold a hearing. Because it is not practicable to complete this review within the current time limit, the Department is extending the time period for issuing the final results of review by 60 days, until January 13, 2009, in accordance with section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2).

This notice is published pursuant to sections 751(a) and 777(i) of the Act.

Dated: November 13, 2008.

Stephen J. Claeyss,

Deputy Assistant Secretary for Import Administration.

[FR Doc. E8-27760 Filed 11-20-08; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

Mission Statement: Building for the Future: U.S. Building Products Trade Mission to Asia, April 20-28, 2009

AGENCY: Department of Commerce.

ACTION: Notice.

Mission Description

The United States Department of Commerce, International Trade Administration, U.S. and Foreign Commercial Service is organizing a Trade Mission to Hong Kong, Singapore, and Bangkok, Thailand, April 20-28, 2009, to promote U.S. firms offering environmentally friendly design and engineering services, energy efficient building systems, efficient lighting and heating/ventilation/air conditioning (HVAC) systems, and eco-friendly building products.

Growing interest in energy efficiency, environmental protection, and "green" building are generating significant opportunities in these markets for U.S. firms offering innovative products and technologies. The mission will include

one-on-one business matchmaking appointments with prospective agents, distributors, and end-users; updates on major projects; Embassy briefings on doing business in each country market; and networking receptions.

Commercial Setting

Hong Kong

In Hong Kong's estimated \$24 billion annual construction and building sector, usage of eco-friendly and energy-saving products has increased in recent years as developers are becoming more concerned about their environmental image and seek to attract multinational corporate tenants who prefer features that will save energy, reduce waste, and increase productivity in their commercial projects.

Government regulations and incentives play a pivotal role in shaping the design of residential buildings in Hong Kong. Government incentives to encourage green building and waste reduction include exempting green features from the calculation of the gross floor area of a property, which grants developers extra floor space to boost the market value of their properties.

In the last five years, growth in demand has been significant for environmentally-friendly products such as T5 lamps, variable-speed pumps, heat recovery systems in HVAC, service-on-demand features, advanced window glazings, and motion sensors. Metal formworks have extensively replaced timber. More pre-fabricated elements are used to allow cleaner construction sites. Use of photovoltaic panels has also increased, particularly in public buildings, although not on a large scale. The market for green building products in Hong Kong is far from maturity and holds genuine potential.

Singapore

Singapore's \$17 billion construction market is estimated to reach \$20 billion annually over the next five years. Government spending will be the main factor sustaining construction demand, with emphasis on infrastructure projects. Singapore's interest in green building promises to be substantial. The Government has set aside about \$13 million over the next three years for the Green Mark Incentive Program, administered by the Building and Construction Authority (BCA), offering cash incentives to private developers and building owners for efforts to achieve a BCA Green Mark Gold rating for new or retrofitted buildings with a gross floor area exceeding 5,000 square meters. Furthermore, under BCA's Green Mark program, the Marina Bay